



Wednesday, May 20, 2026

Historic resources and other environmental and socio-economic conditions in water licences and Class 4 placer approvals

The Yukon Water Board (“Board”) is issuing clarification regarding conditions related to historic resources and other environmental and socio-economic values in water licences and approved operating plans for Class 4 placer land use operations.

Water licences

- The Board does not have authority to include in water licences, conditions related to historic resources where there is no evidence that the use of water or deposit of waste to water may affect historic resources. This extends to YESAA Decision Documents terms where mitigations for historic resources are unrelated to the use of waters or deposit of waste.
- The Board may include in water licences, conditions related to historic resources where there is evidence that the use of water or deposit of waste to water may affect historic resources.

Approved operating plans

- In the Board’s delegated function as Chief during the approval of operating plans for Class 4 placer land use operations, it may include conditions related to historic resources and other values to mitigate adverse environmental and socio-economic effects, per section 9(2) of the *Placer Mining Land Use Regulation*.

Background

The Board altered its processes regarding historic resources in water licences in June 2025. The decision was made to better align the licensing process with the Board’s legislated responsibilities:

- Under the *Waters Act*, the Board’s responsibility is to provide for the conservation, development and use of waters. It has authority to include conditions in licences related to the use of waters or deposit of waste to water (s.13).
- The Board does not have responsibilities or delegated authority under the *Historic Resources Act*.
- Regarding water licences, the Board’s responsibilities under Chapter 14 of the Yukon First Nations’ Final Agreements do not relate specifically to heritage resources.